



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Brandon Camp, et al. §
Serial No.: 09/698,729 § GROUP ART UNIT: 2151
Filed: 10/27/2000 § EXAMINER: Not Yet Known
For: Computer Software and Method §
for Administering Batch Jobs §

PETITION AND FEE FOR FILING ON BEHALF OF NONSIGNING INVENTORS
(37 C.F.R. 1.47(a))

Assistant Commissioner for Patent
BOX MISSING PARTS
Washington, DC 20231

RECEIVED

MAR 27 2001

OFFICE OF PETITIONS

Sir:

The available applicant, James G. Mwaura, hereby petitions to have a declaration on behalf of non-signing inventor, Brandon Camp, accepted pursuant to 37 CFR §1.47(a). A Statement of Facts in Support of Filing on Behalf of Nonsigning Inventors is attached.

The present application is assigned to Sprint Communications Company L.P. by co-inventor, James G. Mwaura, in an assignment recorded with the U.S. Patent and Trademark Office on October 27, 2000, at Reel 011279 Frame 0312.

Attached is a Declaration and Powers of Attorney form signed by applicant James G. Mwaura with the signature block of Brandon Camp left blank.

Attached in support of this Petition is a Statement of Facts by Rodney B. Carroll, attorney for available applicant and an individual having personal knowledge of the facts surrounding Mr. Camp's refusal to sign.

03/27/2001 6TEFFERA 00000025 210765 09698729

02 FC:122 130.00 CH

The last known address of the nonsigning inventor is

Mr. Brandon Camp
8912 Viking Drive
Austin, Texas 78758

Please charge Deposit Account No. 21-0765, Sprint, for the required fee with respect to this application. A duplicate copy of this document is enclosed for use by the Accounting Department.

Respectfully submitted,

 3/21/01

Rodney B. Carroll
Registration No. 39,624
Conley, Rose & Tayon, P.C.
5800 Granite Parkway, Suite 400
Plano, Texas 75024
(972) 731-2288
(972) 731-2289 Facsimile



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Brandon Camp, et al.	§	
		§	GROUP ART UNIT: 2151
Serial No.:	09/698,729	§	
		§	EXAMINER: Not Yet Known
Filed:	10/27/2000	§	
		§	
For:	Computer Software and Method	§	
	for Administering Batch Jobs	§	

**STATEMENT OF FACTS IN SUPPORT OF FILING ON BEHALF
OF NONSIGNING INVENTORS (37 C.F.R. 1.47)**

Assistant Commissioner for Patents
BOX MISSING PARTS
Washington, DC 20231

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OFFICE OF PETITIONS

Sir:

This statement is made as to the exact facts that are relied upon to establish the diligent effort made to secure the execution of the declaration by the nonsigning inventor for the above-identified patent application.

A. Identification of Person Making this Statement of Facts

I, Rodney B. Carroll, am the attorney of record in the present case and am authorized to make this declaration and statement.

B. Last Known Addresses of the Non-Signing Inventor.

Mr. Brandon Camp
8912 Viking Drive
Austin, Texas 78758

C. Details of Refusal of Non-Signing Inventor to Sign Application Papers

1. The non-signing inventor, Brandon Camp, was employed by Andersen Consulting LLP (now known as Accenture) at the time the invention covered by the above-identified patent application was made. Brandon Camp was providing services to Sprint Communications Company L.P. pursuant to a contract between Sprint Communications Company L.P. and Andersen Consulting LLP. Co-inventor James G. Mwaura was employed by, and has assigned the invention and the present application to, Sprint Communications Company L.P.
2. The non-signing inventor, Brandon Camp, was notified of the filing of the present application via first class mail on December 5, 2000. The notification included a copy of the patent specification and drawings as well as a Declaration and Power of Attorney form and an Assignment form. A copy of the December 5, 2000 letter and formal papers is attached. In the letter Brandon Camp was asked to sign and return the forms or call if he had any questions. Brandon Camp did not return the forms, call or respond in any way.
3. A letter dated January 5, 2001, copy attached, was sent to Brandon Camp reminding him of the December 5, 2000 letter and again requesting that he sign the forms or call with questions. Brandon Camp did not return the forms, call or respond in any way.
4. A letter dated February 5, 2001 was sent by Certified mail to Brandon Camp, for which he signed a receipt. A copy of the letter and receipt are attached. Copies of the formal papers were included with the February 5, 2001 letter which requested that Brandon Camp sign and return the papers or call for any questions. Except for the return receipt, Brandon Camp did not return the forms, call or respond in any way.

5. A letter dated February 21, 2001, copy attached, was sent to Brandon Camp by first class mail. The letter again requested that Brandon Camp sign and return the forms or call with questions. Brandon Camp did not return the forms, call or respond in any way.

6. On March 1, 2001 and March 6, 2001, telephone voice messages were left on a phone mail system at Andersen Consulting LLP offices in Austin, Texas. Upon request to speak with Brandon Camp, the central operator at the Anderson offices connected the call, and the recorded message indicated that it was the phone of Brandon Camp. The phone messages requested that Brandon Camp sign and return the formal papers. Brandon Camp did not return the forms, call or respond in any way.

7. A letter was sent to Brandon Camp by Certified Mail on March 7, 2001. A copy of the letter is attached. In the letter Brandon Camp was reminded of all earlier communications and again requested to sign and return the forms or call with any questions. He was also advised that the application would be filed without his signature if he did not respond by March 14, 2001. Brandon Camp did not return the forms, call or respond in any way.


8. Brandon Camp has not provided any reason for his refusal to sign the formal papers.

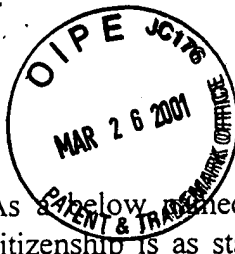
9. A Declaration and Powers of Attorney signed by the other inventor was signed on October 25, 2000, and is being submitted herewith along with a Response to Notice to File Missing Parts.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 USC 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

This declaration is being made by the following person having first-hand knowledge of
the facts recited therein:

03/21/01
Date


Name Rodney B. Carroll
Registered Patent Attorney, No. 39,624



DECLARATION AND POWERS OF ATTORNEY

As a below named inventor, I hereby declare that my residence, post office address and citizenship is as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled a "Computer Software and Method for Administering Batch Jobs (IDF 1398)," the specification of which was filed on October 27, 2000, as Application Serial No.09/698,729. I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with 37 CFR 1.56(a). I hereby claim foreign priority benefits under 35 USC 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate by me or my representatives or assigns for this invention having a filing date before that of the application on which priority is claimed:

Application No. _____ in _____ on _____ priority claimed () Yes () No

Application No. _____ in _____ on _____ priority claimed () Yes () No

Application No. _____ in _____ on _____ priority claimed () Yes () No

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 USC 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. I hereby appoint, individually and collectively, the following as my/our attorney or agent with full power of substitution and revocation, to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected therewith:

Harley R. Ball Reg. No. 31,733; and Rodney B. Carroll, Reg. No. 39,624
Steven J. Funk Reg. No. 35,875; and Michael W. Piper, Reg. No. 39,800
Kristin Jordan Harkins, Reg. No.37,859, and Gene C. Vallow, Reg. No. 40,856
Al C. Metrailer, Reg. No. 27,145

PLEASE ADDRESS ALL
COMMUNICATIONS TO:

Steven J. Funk
Sprint Law Department
8140 Ward Parkway
Kansas City, MO 64114

RECEIVED

MAR 27 2001

OFFICE OF PETITIONS



SOLE OR JOINT

Inventor (1): Brandon Camp

(Signature in Full)

Citizenship: United States

Date: _____

Post Office Address: 8912 Viking Drive
Austin, TX 78758

Residence: same

SOLE OR JOINT

Inventor (2): James G. Mwaura

(Signature in Full)

Citizenship: Kenya

Date: _____

Post Office Address: 4153 Polaris #3050, Irving, TX 75038

Residence: same

SOLE OR JOINT

Inventor ():

(Signature in Full)

Citizenship:

Date: _____

Post Office Address:

Residence: same

SOLE OR JOINT

Inventor ():

(Signature in Full)

Citizenship:

Date: _____

Post Office Address:

Residence: same

ASSIGNMENT AND AGREEMENT IN AN APPLICATION FOR LETTERS PATENT OF THE UNITED STATES OF AMERICA

I hereby declare that I am the sole inventor (if only one inventor is named below) or an original, first and joint inventor (if plural inventors are named below) of the invention relating to a "Computer Software Method for Administering Batch Jobs (IDF 1398)" described in an application for Letters Patent of the United States of America filed on October 27, 2000, Serial No. 09/698,729, or, if not identified here by filing date and serial number, executed by me on even date with my execution of this Assignment.

For valuable consideration received, I hereby sell, assign and transfer to Sprint Communications Company L.P., a corporation duly organized and existing under the laws of the State of Delaware, United States of America, its successors and assigns, my entire right, title and interest, for all countries in and to said inventions and all the rights and privileges under any and all Letters Patent that may be granted therefore, and any divisions, continuations, reissues and extensions thereof.

I agree that, when requested, I will, without charge to said corporation but at its expense, sign all papers, take all rightful oaths, make all rightful declarations and do all acts which may be necessary, desirable or convenient for securing and maintaining patents or other forms of protection for said inventions in any and all countries and for vesting title thereto in said corporation, its successors, assigns or nominees.

I agree that I will communicate to said corporation or its representatives any facts known to me respecting said inventions and when requested by said corporation and at its expense will testify in any legal proceedings, and generally do everything possible to aid said corporation, its successors, assigns and legal representatives or nominees, to obtain or enforce proper protection for said inventions in any and all countries.

I authorize and empower said corporation, its successors, assigns or nominees, to make application for patent or other form of protection for said inventions in its or their own name, or in my/our name, in any and all countries to invoke and claim for any application for patent or other form of protection for said inventions filed by it or them, the benefit of the right of priority provided by the International Convention for the Protection of Industrial Property, as amended, or by any convention which may henceforth be substituted for it, and to invoke and claim such right of priority without further written or oral authorization from me.

I hereby consent that a copy of this Assignment shall be deemed a full legal and formal equivalent of any assignment, consent to file or like document which may be required in any country for any purpose and more particularly in proof of the right of the said corporation or its successors, assigns or nominees to apply for patent or other proper protection for said inventions, and to claim the aforesaid benefits of the right of priority provided by the International Convention for the Protection of Industrial Property, as amended, or by any convention which may henceforth be substituted for it.

I covenant with Sprint Communications Company L.P., its successors, assigns, legal representatives, and nominees, that to the best of my knowledge the right, title and interest herein conveyed by me are free and clear of any encumbrance, and that I have the full right to convey the same as herein expressed.

This Agreement and Assignment supersedes all other assignments, agreements and addendums related to the above identified application.

After this Assignment has been recorded, please return it to :

Attn: Steven J. Funk
Sprint Law Department
8140 Ward Parkway
Kansas City, MO 64114

RECEIVED

MAR 27 2001

OFFICE OF PETITIONS

SOLE OR JOINT

Inventor (1): Brandon Camp

(Signature in Full)

Citizenship:

Date:

Post Office Address: 8912 Viking Drive
Austin, TX 78758

Residence: Same

1st Witness:

(Type or Print)

(Signature)2nd Witness:

(Type or Print)

(Signature)

SOLE OR JOINT

Inventor (2): James G. Mwaura

(Signature in Full)

Citizenship: Kenya

Date:

Post Office Address: 4153 Polaris #3050, Irving, TX 75038

Residence: same

1st Witness:

(Type or Print)

(Signature)2nd Witness:

(Type or Print)

(Signature)

SOLE OR JOINT

Inventor ():

(Signature in Full)

Citizenship: United States

Date:

Post Office Address:

Residence: same

1st Witness:

(Type or Print)

(Signature)2nd Witness:

(Type or Print)

(Signature)



CONLEY, ROSE & TAYON
A Professional Corporation

Austin Office
The Chase Building
700 Lavaca, Suite 800
Austin, Texas 78701-3102
(512) 476-1400
Facsimile (512) 703-1250

Dallas Office
Granite Park One
5800 Granite Parkway, Suite 400
Plano, Texas 75024-6616
(972) 731-2288
Facsimile (972) 731-2289

Houston Office
Chase Tower
600 Travis, Suite 1800
Houston, Texas 77002-2912
(713) 238-8000
Facsimile (713) 238-8008

INTELLECTUAL PROPERTY LAW
INCLUDING PATENTS, TRADEMARKS,
COPYRIGHTS AND UNFAIR COMPETITION

Writer's Direct Dial
(972) 731-2299
email: rcarroll@crtlaw.com

December 5, 2000

Mr. Brandon Camp
8912 Viking Drive
Austin, TX 78758

Re: Sprint IDF 1414 - Computer Software Framework and Method of Logging
Messages
U.S. Patent Application 09/698,580 (Our File No. 4000-00800)
Sprint IDF 1398 - Computer Software Method for Administering Batch Jobs
U.S. Patent Application 09/698,729 (Our File No. 4000-00700)

Dear Mr. Camp:

Enclosed for your review and signature is a Declaration and Power of Attorney and Assignment for each of the above-referenced U.S. patent applications which our firm has filed on behalf of Sprint. You have been identified as an inventor on these patent applications based upon the work you performed for Sprint. We have enclosed copies of the patent specifications and drawings for your reference.

Please sign the Declarations and Power of Attorney and Assignments where indicated and return them to us. Please note that your signature on the Assignments must be witnessed by two witnesses. We have also enclosed a self-addressed, stamped envelope for your convenience.

If you have any questions, please do not hesitate to contact us. Your consideration and cooperation is greatly appreciated.

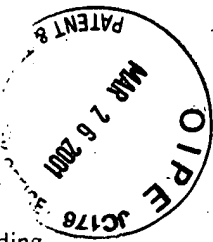
Sincerely,

Rodney B. Carroll

RBC/tr
Enclosures

34019.01/4000.00000

RECEIVED
MAR 27 2001
OFFICE OF PETITIONS



CONLEY, ROSE & TAYON

A Professional Corporation

Austin Office
The Chase Building
700 Lavaca, Suite 800
Austin, Texas 78701-3102
(512) 476-1400
Facsimile (512) 703-1250

Dallas Office
Granite Park One
5800 Granite Parkway, Suite 400
Plano, Texas 75024-6616
(972) 731-2288
Facsimile (972) 731-2289

Houston Office
Chase Tower
600 Travis, Suite 1800
Houston, Texas 77002-2912
(713) 238-8000
Facsimile (713) 238-8008

INTELLECTUAL PROPERTY LAW
INCLUDING PATENTS, TRADEMARKS,
COPYRIGHTS AND UNFAIR COMPETITION

Writer's Direct Dial
(972) 731-2299
email: rcarroll@crtlaw.com

January 5, 2001

Mr. Brandon Camp
8912 Viking Drive
Austin, TX 78758

Re: Sprint IDF 1414 - Computer Software Framework and Method of Logging
Messages
U.S. Patent Application 09/698,580 (Our File No. 4000-00800)
Sprint IDF 1398 - Computer Software Method for Administering Batch Jobs
U.S. Patent Application 09/698,729 (Our File No. 4000-00700)

Dear Mr. Camp:

We have not heard from you in response to our letter of December 5, 2000, regarding the above-referenced Sprint patent applications. A copy of our letter is enclosed for your convenience.

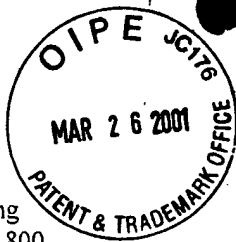
If you have any questions or concerns about the applications, Declarations and Power of Attorney, and Assignments that we requested you to sign, please call. Otherwise, we would appreciate your executing the documents and returning them to us as soon as possible.

Your consideration and cooperation is greatly appreciated.

Sincerely,

Rodney B. Carroll

RBC/tr
Enclosure



CONLEY, ROSE & TAYON

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700 Lavaca, Suite 800
Austin, Texas 78701-3102
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Houston, Texas 77002-2912
(713) 238-8000
Facsimile (713) 238-8008

INTELLECTUAL PROPERTY LAW
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COPYRIGHTS AND UNFAIR COMPETITION

Writer's Direct Dial
(972) 731-2299
email: rcarroll@crtlaw.com

February 5, 2001

RECEIVED

MAR 27 2001

OFFICE OF PETITIONS

Via Certified Mail Return Receipt Requested

Mr. Brandon Camp
8912 Viking Drive
Austin, TX 78758

Re: Sprint IDF 1414 - Computer Software Framework and Method of Logging Messages
U.S. Patent Application 09/698,580 (Our File No. 4000-00800)
Sprint IDF 1398 - Computer Software Method for Administering Batch Jobs
U.S. Patent Application 09/698,729 (Our File No. 4000-00700)

Dear Mr. Camp:

We have not heard from you in response to our letters of December 5, 2000, and January 5, 2001, regarding the above-referenced Sprint patent applications. Copies of our previous letters are enclosed for your convenience as well as the Declarations and Power of Attorney and Assignments. We would appreciate your executing these documents and returning them to us in the enclosed self-addressed, stamped envelope as soon as possible as further delay will result in unnecessary expense in the Patent Office.

If you have any questions or concerns about the applications, Declarations and Power of Attorney, and Assignments, please call.

Your consideration and cooperation is greatly appreciated.

Sincerely,

Rodney B. Carroll

RBC/tr
Enclosures

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Brandon Camp
8912 Viking Drive
Austin, TX 78758

2. Article Number (Copy from service label)

7099 3400 0006 4024 9593

PS Form 3811, July 1999

Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

Brandon Camp

2/9/01

C. Signature

X *Brandon Camp*

☐ Agent

☐ Addressee

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☐ No

3. Service Type

☒ Certified Mail

☐ Express Mail

☐ Registered

☒ Return Receipt for Merchandise

☐ Insured Mail

☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

102595-00-M-0952



CONLEY, ROSE & TAYON

A Professional Corporation

Austin Office
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700 Lavaca, Suite 800
Austin, Texas 78701-3102
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email: rcarroll@crtlaw.com

February 21, 2001

Mr. Brandon Camp
8912 Viking Drive
Austin, TX 78758

Re: Sprint IDF 1414 - Computer Software Framework and Method of Logging
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U.S. Patent Application 09/698,580 (Our File No. 4000-00800)
Sprint IDF 1398 - Computer Software Method for Administering Batch Jobs
U.S. Patent Application 09/698,729 (Our File No. 4000-00700)

Dear Mr. Camp:

We are writing to you once again to request that you sign and return the Declarations and Power of Attorney and Assignments concerning the above-referenced Sprint patent applications which were previously sent to you. We are aware you have received our previous correspondence and are surprised that you have not yet returned the documents to us. If you have concerns about signing the documents or with the contents of the documents, we would be happy to discuss them with you or you should seek advice from counsel.

Again, we would appreciate your executing the documents and returning them to us as soon as possible. Your consideration and cooperation is greatly appreciated.

Sincerely,

Rodney B. Carroll

RBC/tr



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Writer's Direct Dial
(972) 731-2299
email: rcarroll@crtlaw.com

March 7, 2001

Via Certified Mail, Return Receipt Requested

Mr. Brandon Camp
8912 Viking Drive
Austin, TX 78758

Re: Sprint IDF 1414 - Computer Software Framework and Method of Logging Messages
U.S. Patent Application 09/698,580 (Our File No. 4000-00800)
Sprint IDF 1398 - Computer Software Method for Administering Batch Jobs
U.S. Patent Application 09/698,729 (Our File No. 4000-00700)

Dear Mr. Camp:

Inasmuch as we have had no response from you to our correspondence of December 5, 2000, January 5, 2001, February 5, 2001, February 21, 2001, and phone messages of March 1, 2001 and March 6, 2001, please be advised that, unless we receive the Declarations and Power of Attorney and Assignments from you **on or before March 14, 2001**, it is our intention to proceed with the above-captioned patent applications before the U.S. Patent and Trademark Office without your signature.

Sincerely,

Rodney B. Carroll

RBC/tr